

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHRISTOPHER J. BAXTER, :
 :
 Plaintiff, :
 :
 v. : 05-CV-0080 GMS
 :
 ALLEN FAMILY FOODS, INC., A/K/A, :
 D/B/A AND/OR T/A ALLEN MILLING :
 DIVISION, :
 :
 Defendant and :
 Third-Party :
 Plaintiff, :
 :
 v. : JURY OF TWELVE DEMANDED
 :
 ALL-TEMP INSULATION, INC. and :
 MESSICK & GRAY CONSTRUCTION, INC., :
 :
 Third-Party :
 Defendant. :

ANSWER OF ALL-TEMP INSULATION, INC. TO
TO DEFENDANT MESSICK & GRAY'S CROSS-CLAIM
AGAINST THIRD-PARTY DEFENDANT

45. No answer required.

46. - 47. Denied.

48. - 49. Admitted.

50. Denied.

51. Denied. The allegations contained in this paragraph are conclusions of law to which the F.R.C.P. require no responsive pleading and are, therefore, denied, and strict proof thereof is demanded at the time of trial, if relevant.

52. Denied.

TYBOUT, REDFEARN & PELL

/s/ Richard W. Pell

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All-Temp Insulation, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2005, I electronically filed Answer of All-Temp Insulation, Inc. to the Defendant Messick & Gray's Cross-Claim Against Third-Party Defendant with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Louis J. Rizzo, Jr., Esquire
1001 Jefferson Plaza, Ste. 202
Wilmington, DE 19801

I hereby certify that on March 30, 2005, I have mailed by United States Service, the document(s) to the following non-registered participants:

Roger D. Landon, Esquire
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TYBOUT, REDFEARN & PELL

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